

BEFORE THE BOARD OF ZONING ADJUSTMENT, D.C.

Application No. 12102 of Janet Brooks, pursuant to Sub-section 8207.1 of the Zoning Regulations, for a variance from the side yard requirements (Sub-section 3305.1 and paragraph 7107.22) to permit an addition to a dwelling which is a non-conforming structure in the R-1-B district at the premises 4620 Windom Place, N.W. (Square 1553, Lot 49).

HEARING DATE: March 31, 1976

DECISION DATE: May 3, 1976

FINDINGS OF FACT:

1. The property is located in an R-1-B district.
2. The property is improved with a two-story plus basement brick detached single family dwelling.
3. The applicant proposes to add a one story addition at the rear of the existing structure. This addition, which is under construction, would be erected in two parts. The western part is being constructed as a matter of right, pursuant to a valid building permit already issued. The eastern part is proposed to be 9 feet by 9 feet, and would contain a breakfast room.
4. The rear wall of the breakfast room addition would be on the same line as the rear wall of the rest of the addition. The east wall of the addition would be on the same line as the east wall of the existing dwelling.
5. The existing dwelling has a side yard of 5.67 feet on its east side. The proposed addition would also have a 5.67 foot side yard. The Zoning Regulations require a minimum side yard of 8 feet. A variance of 2.33 feet is thus required.
6. The addition would extend no closer to the side lot line than the existing structure.
7. The addition would extend no further to the rear than the existing houses on both sides.
8. The abutting property owner to the east objected to the application. The Board finds no substantive objection which could support the denial of the application.

9. There were various letters in the file which supported the application.

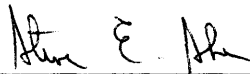
CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the requested variance is an area variance, the granting of which requires the showing of a practical difficulty. The Board concludes that the applicant would suffer such a practical difficulty were she required to set the wall of the addition back 2.33 feet from the wall of the existing structure. The Board concludes that the proposed addition would be in character with the neighborhood and with the houses on adjoining property, and that there would be no adverse impact on the area. It is therefore ORDERED that the application be GRANTED.

VOTE: 3-0 (Martin Klauber, Leonard McCants, and William F. McIntosh to grant, Lilla B. Cummings and William S. Harps not voting, not having heard the case).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER

Acting Secretary to the Board

THIS ORDER OF THE BOARD IS VALIF FOR A PERIOD OF SIX MONTHS ONLY, UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

FINAL DATE OF THIS ORDER:

MAY 12 1976